
Higher Law: See the New Workplace Weed Ruling?

The National Law Journal

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Cheryl Miller, ALM Senior Reporter

A member of FG's Cannabis Practice Group was quoted extensively in the *National Law Journal's* Higher Law Newsletter this week about a new workplace cannabis ruling in New Jersey federal court that the state's medical marijuana law does not obligate employers to allow employees to use.

The reporter asked **Adam Gersh**, an attorney in **Flaster Greenberg's** labor and employment practice in Cherry Hill, whether the ruling would change his advice to employers. In short, he said, no.

"I think it reaffirms that, as of now, employers continue to have the right to test for and discipline employees for using medical marijuana, even when there is no evidence of impairment at work" he told the reporter.

Should employers drug test employees? Should they allow qualified employees to use marijuana outside the workplace?

That depends on the business, Gersh says.

"I continue to advise that employers need to carefully consider the consequences of their policies and tailor their policies to their workplace," he said.

[Click here to read the article in its entirety.](#)

ATTORNEYS MENTIONED

Adam Gersh